

ENROLLED RESOLUTION 158-14

YEAR 2004
APPROVAL OF AMENDMENTS TO THE
WAUKESHA COUNTY DEVELOPMENT PLAN

WHEREAS on November 26, 1996, the Waukesha County Board of Supervisors, in Resolution No. 151-13, approved a Development Plan for Waukesha County to take effect January 1, 1997, and

WHEREAS on May 27, 1997, the Waukesha County Board of Supervisors adopted Resolution No.152-R-002 entitled, "Technical Refinements and Implementation of a Development Plan for Waukesha County" which, among other matters, provided for annual update and amendment procedures, and

WHEREAS on February 3, 2004, the Waukesha County Park and Planning Commission and the Waukesha County Land Use, Parks and Environment Committee held a joint Public Hearing to receive testimony on proposed changes to the Waukesha County Development Plan, and

WHEREAS the staff has identified in a "Staff Report and Recommendation" dated February 19, 2004, a summary of the hearing, comments and Staff Recommendations for and against the various proposed changes to specific properties in the Waukesha County Development Plan, and

WHEREAS said "Staff Report and Recommendation" has been reviewed by the Waukesha County Park and Planning Commission on February 19, 2004, and a recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors as required by Resolution No. 152-R-002 which endorses the recommendations set forth in the "Staff Report and Recommendation" along with some modification and additional conditions to various properties.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE WAUKESHA COUNTY BOARD OF SUPERVISORS that the following amendments are hereby approved, or approved with conditions, to the Year 2010 Waukesha County Development Plan and the associated Buildout Map :

1. In the Town of Brookfield, the following requests are being made:

- A. ***J.B.J. Development Company***, request property owned by Nancy and John Schatzman, Horst and Barbara Abel, Lawrence Pugins and Mary Catanese-Pugins and David Martin, located in the SE ¼ of Section 29 of the Town of Brookfield (Tax Key No. BKFT 1124.979, BKFT 1124.980, BKFT 1124.980.001 and BKFT 1124.981), between Bluemound Road and I-94, west of Brookfield Road, be amended from the LDR category to the MDR category, for the purpose of developing a condominium project, including 48 dwelling units in nine structures on the approximately seven-acre property, subject to the following conditions:

1. The steep wooded portions of land along the west boundary and partially along the south boundary be retained in their natural state and the site be redesigned to reflect that preserved area and the site design be revised to attempt

to take better advantage of the existing slopes on this property (see map in attached “Staff Report and Recommendation”).

2. The final project layout shall be subject to review by the Waukesha County Department of Parks and Land Use, Planning and Zoning Division Staff and shall contain no more than 42 dwelling units.

3. The Waukesha County Department of Parks and Land Use, Land Resources Division shall be involved in the permitting of the stormwater and erosion control practices to occur on the site and those facilities be designed and developed in accordance with the Waukesha County Stormwater Management and Erosion Control Ordinance.

2. In the Town of Genesee/Delafield, the following request is being made:

A. ***Welch Hanson and Associates, c/o Jennifer O’Leary***, requests property owned by L. Grant and Joan Herrman, in part of the SW ¼ of the SW ¼ of Section 35 of the Town of Delafield and part of the NW ¼ of Section 2 in the Town of Genesee (Tax Key No. DELT 0859.997, GNT 1446.999.004 and GNT 1446.999.006), be amended from the Rural Density Residential and Other Agricultural Lands category (RDROAL) to the Suburban II Density Residential (SDRII) category for the purpose of developing an 18-lot conservation design subdivision, subject to the following conditions:

1. Proper protection be provided to prevent horses from entering the stream. Said methods of protection shall be incorporated at the platting stage and shall be subject to the Planning and Zoning Division Staff and local Town review and approval.

2. The horses be prevented from entering the Environmental Corridor on the site.

3. A total maximum number of 36 horses be allowed for the site.

3. In the Town of Merton, the following request is being made:

A. ***MLG Real Estate, c/o Ryan Schultz***, requests the property owned by Joseph and Dorothy Becker, located in the NE ¼ of Section 7, Town of Merton (Tax Key No. MRTT 0313.994.002 and MRTT 0313.995.006, containing 85 acres be amended from the RDROAL category to the SDRII category to accommodate the development of a residential cluster development containing approximately 25 parcels, subject to the following conditions:

1. The density of the site shall be maintained at no greater than 3.5 acres per dwelling unit.

2. The wetlands and steep wooded hillside along the north side of the proposed Lot 25 shall be incorporated with the common open *green* space for the entire development.

3. The storage of vehicles, assorted junk items, etc. on proposed Lot 9, which is on Stone Bank Road shall be completely eliminated unless the Town were to grant approval for such storage activities prior to the approval of the Final Plat for this proposed subdivision development.

4. In the Town of Mukwonago, the following request is being made:
 - A. ***Darwin Lueck***, requests his property, located in the SW ¼ of Section 10, containing approximately 5.1 acres in the Town of Mukwonago (Tax Key No. MUKT 1911.993.003) be amended from the RDROAL category to the LDR category to accommodate the division of the parcel into two separate lots.
5. In the Town of Vernon, the following request is being made:
 - A. ***Tom Wolf of Applied Technologies***, requests the property owned by Paul and John Dickson, located in the NW ¼ of Section 1 of the Town of Vernon (Tax Key No. VNT 2018.997), be amended from the RDROAL category to the SDRI category to permit the development of a 42-lot subdivision, containing approximately 80 acres, subject to the following conditions:
 1. Subject to a modification to the Town's Resolution to allow lots on a cluster to be possibly less than one-acre.
 2. A different plan should be utilized other than the one submitted to the Town of Vernon Plan Commission on November 24, 2003.
 3. Consideration be given to eliminate the requirement regarding no direct vehicular access to Townline Road as there may be a modification to the design whereby one or two lots may require access to Townline Road.
6. The ***Parks Division of the Waukesha County Department of Parks and Land Use***, requests that Chapter 13 of the Waukesha County Development Plan be amended to include additional provisions for accommodation of the Greenway Trail cross section, recently developed by the Parks Division with the cooperative effort of a focus group, consisting of local government officials, County and State staff. This amendment will serve as a clean water initiative and will provide minimum standards to preserve high quality natural areas within the County, while also accommodating a non-motorized trail system.

BE IT FURTHER RESOLVED that a more detailed description and maps of the aforementioned properties are on file in the office of the Waukesha County Department of Parks and Land Use.

BE IT FURTHER RESOLVED that the Waukesha County Clerk shall file a certified copy of this Resolution with the affected Municipal Clerks of Waukesha County.